

AGENDA

**REGULAR MEETING
BOARD OF COMMISSIONERS
315 WEST SECOND STREET
FRANKFORT, KY 40601
502/875-8500**

**JANUARY 28, 2013
5:00 P.M. (EST)**

1. INVOCATION

Rev. Gary Hager, Westview Baptist Church

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTES

December 10, 2012 Work Session; December 17, 2012 Special Meeting; January 2, 2013 Special Meeting; January 9, 10, & 11, 2013 Special Meeting.

2. CEREMONIAL ITEMS

2.1 The Board of Commissioners traditionally recognizes city employees who are retiring or are being promoted. At this meeting, the following individuals within the Police Department will be recognized:

Michael W. Johnson

Patrol Officer III; retiring with 20 years service.

3. CITIZEN COMMENTS

4. ORDINANCES

4.1 SECOND READING: An Ordinance Amending Sections 39.04, 39.07, 39.12, 39.16, 39.17, 39.20, and 39.21 of the City of Frankfort Code of Ordinances.

Purpose: To amend Sections 39.04, 39.07, 39.12, 39.16, 39.17, 39.20, and 39.21 of the City of Frankfort Code of Ordinances to update the City's Code of Ethics.

Background: The Board of Ethics has requested the Board of Commissioners to make certain updates and revisions to the City of Frankfort Code of Ethics by making technical clarifications, adding a definition of Department Head, requiring Department Heads to file Statements of Financial Interest, changing the date for the filing of Statements of Financial Interest to February 28 of each year, increasing the number of members of the Board of Ethics to 5, allowing an ethics complaint to be filed with the chairperson of the Board of Ethics, and stating that requests for advisory opinions and the opinions themselves shall be public documents unless otherwise provided by the state Open Records Act.

This ordinance had its first reading on December 17, 2012.

Financial Analysis: The approval of the ordinance should have minimal fiscal impact on the City.

Recommendation: For approval.

Attachment:

- Ordinance.

Contact Person:

Name: Robert Moore
Title: City Attorney
Department:
Phone: 502/227-2271
Email: Rmoore@Hazelcox.com

4.2 FIRST READING: An Ordinance amending Frankfort Code of Ordinances Chapter 32, Section 32.03, Meetings.

Purpose: The purpose of this ordinance is to revise the meeting dates and times for the Board of Commissioners.

Background: This ordinance provides that the Board of Commissioners will meet in work sessions on the second Monday of each month at 5:00 p.m., and the voting meeting is the meeting on the fourth Monday of each month at 5:00 p.m. This ordinance will take effect on March 1, 2013.

Financial Analysis: N/A

Recommendation: Approval

Attachment:

- Ordinance

Contact Person:

Name: Rob Moore
Title: City Solicitor
Department:
Phone: 502/227-2271
Email: rmoore@hazelcox.com

5. ORDERS

5.1 An Order Renaming Wild Turkey Road at Capitol View Park to Capitol View Park Drive.

Purpose: To rename Wild Turkey Road at Capitol View Park to Capitol View Park Drive in order to provide the best health, safety and welfare of the citizens and visitors to the Capitol View Park

Background: Jim Parrish, Parks & Recreation Co-Director has asked for Wild Turkey Road at Capitol View Park to be renamed. The current name, Wild Turkey Road, does not appear in performing an on-line search on MapQuest, Google or hand-held GPS devices. Deliveries to Capitol View Park are sometimes delayed because of this. In addition, when major events/tournaments are held at the park, out-of-town participants are not able to find the park, resulting in a lot of phone calls for directions to the Parks Department.

According to City Clerk records, Wild Turkey Road has never been accepted into the City's road system. It should be noted that all computer searches of Capitol View Park do pinpoint the actual location of the park.

After researching the files, performing on-line searches and discussing the options with the Public Works Director and E-911 Director, it was determined that the street name should be changed to correct the problem.

Financial Analysis: none anticipated by this request.

Attachments:

- Order
- Letter from Parks Director
- Aerial of Capitol View Park

Recommendation: Approval

Contact Persons

Name:	Gary Muller	Thomas Bradley
Title:	Director	Director
Department:	Planning and Building Codes	Public Works
Phone:	502/875-8500	502/875-8500
Email:	gmuller@frankfort.ky.gov	tbradley@frankfort.ky.gov

6. RESOLUTIONS

7. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.

7.1 To authorize the disposal of surplus property (Fire Department).

Purpose: To declare a 1998 Ford ambulance surplus property and to authorize its sale by electronic auction or public auction in the City's next surplus sale event.

Background: A 1998 (Unit 26) model Ford ambulance has been used in recent years as a research unit for Haz-Mat incidents. It is in poor condition with approximately 103,000 miles and is no longer needed.

Financial Analysis: Proceeds for the sale will be deposited in the EMS budget equipment account for future purchases.

Recommendation: Approval

Attachments: None

Contact Person

Name: Wallace Possich
Title: Chief
Department: Fire
Phone: 502/875-8511
Email: wpossich@frankfort.ky.gov

7.2 To authorize the Mayor to sign a Full Release of Mortgage for property located at 455 Jones Lane (Sewer Department).

Purpose: The purpose of this item is to authorize the Mayor to sign a Full Release of Mortgage for property located at 455 Jones Lane.

Background: Subsequent to construction of the Jones Lane Project we had a number of residents sign promissory notes and second mortgages to pay off their sewer capacity fee over time. The property owner at 455 Jones Lane signed a promissory note and mortgage and has since paid the

amount owed in full. This document will be filed with the Office of the Clerk of the Franklin County Court to release the second mortgage.

Financial Analysis: NA

Recommendation: Approval

Attachment:

- Full Release of Mortgage

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@frankfort.ky.gov

- 7.3** To authorize the surplus and sell of property no longer used by the Sewer Department and authorize the Mayor to sign all related documents (Sewer Department).

Purpose: The purpose of this item is to declare various pieces of equipment and vehicles as surplus.

Background: The Sewer Department intends to sell by sealed bids, public auction or electronic auction the surplussed items. All items will be sold "as is" and each will have a minimum bid.

Financial Analysis: Funds from the sale will be deposited in the sewer account.

Recommendation: Approval

Attachment:

- List of surplus items

Contact Person:

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@frankfort.ky.gov

- 7.4** To authorize approval of Change Order #1 to award additional funds and contract time to the construction contract with Kenney Construction for construction of approximately 12,460-feet of gravity sewer and force main and an 800-gpm pump at the Boone National Guard and to authorize the Mayor to sign all documents related to the project (Sewer Department).

Purpose: The purpose of this item is to consider adding additional funds and contract time, Change Order # 1, to the contract with Kenney Construction for construction of approximately 12,460-feet of gravity sewer and force main and an 800-gpm pump at the Boone National Guard and to authorize the Mayor to sign all documents related to the project.

Background: In June 2012 a contract was entered into with Kenney Construction for the construction of a new pump station at Boone National Guard and to remove 3 existing stations.

Amendment #1, in the amount of \$26,625.50, covers electrical changes needed for the station to meet electrical code and 230 linear feet of directional bore to avoid multiple storm water lines found during construction. A portion of the directional bore cost will be returned in the balancing change order due to a decrease in the amount of open cut construction. It will also add 14 days to the contract period. The total contract amount is summarized below:

Original Contract	\$1,462,205.00
Change Order #1	\$ 26,625.50
Total	\$1,488,830.50

Financial Analysis: Funds are available in Account No.300.68.54390. The budget for this account is \$14,535,000 and as of December 1, 2012 this account had \$1,428,549 expensed and encumbered.

Recommendation: Approval

Attachment:

- Change Order #1

Contact Person:

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@frankfort.ky.gov

- 7.5** To authorize the Mayor to sign a Memorandum of Agreement (MOA) with Franklin County Fiscal Court for construction of a Stormwater Outfall from Wapping Street to the Kentucky River (Sewer Department).

Purpose: The purpose of this item is to authorize the Mayor to sign a Memorandum of Agreement (MOA) with Franklin County Fiscal Court for construction of a Stormwater Outfall from Wapping Street to the Kentucky River.

Background: Franklin County Fiscal Court has received a grant for a project to install permeable pavement in Catfish Alley. The stormwater that does not permeate into the ground is currently entering into the combined sewers. The County has proposed constructing a stormwater pipe from the intersection of Catfish Alley and Wapping Street to convey this excess water to the river; however, there is no funding in the grant for this project. Under this MOA, the Sewer Department would reimburse the County, in an amount not to exceed \$120,000, to cover the cost of this project. Removal of the stormwater from the combined sewers would reduce the cost the Department currently spends on pumping and treating the stormwater and could be used as an early action project as part of our Combined Sewer Long Term Control Plan.

Financial Analysis: Funds are available in Account No. 300.68.54390. The budget for this account is \$14,535,000 and as of December 1, 2012 this account had \$1,428,549 expensed and encumbered.

Recommendation: Approval

Attachment:

- Memorandum of Agreement (draft)

Contact Person:

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@frankfort.ky.gov

- 7.6** To authorize negotiations of an engineering agreement and advertising for the reconstruction of two (2) combined sewer penetration beneath the South Frankfort Floodwall, and authorize the Mayor to sign all related documents (Sewer Department).

Purpose: The purpose of this item is to authorize negotiation of an engineering agreement and advertise for the reconstruction of two (2) combined sewer penetration beneath the South Frankfort Floodwall.

Background: During the last inspection by the Corps of Engineers, it was discovered that two (2) pipes that carried combined sewage beneath a section of the South Frankfort Floodwall were in serious disrepair. The Corps of Engineers is requiring that these pipes be repaired or replaced no later than June 30, 2013. The Sewer Department is currently negotiating with Strand Associates, the firm currently working on our Long Term Control Plan, to design the necessary repairs and this Engineering Agreement will be presented at the February Commission meeting. Once the design is complete the project will be bid and presented to the Commission for award to the lowest responsible bidder. The total project cost for this project is not expected to exceed \$150,000 but a final cost will not be known until the design is complete.

Financial Analysis: Funds are available in Account No. 300.68.54390. The budget for this account is \$14,535,000 and as of December 1, 2012 this account had \$1,428,549 expensed and encumbered.

Recommendation: Approval

Attachments: None

Contact Person:

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@frankfort.ky.gov

- 7.7** To authorize the filing of a 2013 grant application for the National Recreation Foundation for a Green Parks, Green Kids Grant through the National Recreation and Park Association and to authorize the Mayor to sign all grant documents (Parks and Recreation; Grants Manager).

Purpose: Requesting authorization to file a 2013 grant application for the National Recreation Foundation for a Green Parks, Green Kids Grant through the National Recreation and Park Association not to exceed \$7,000.00 and to authorize the Mayor to sign all grant documents.

Background: The Parks and Recreation Department would like to apply for the above referenced grant which promotes and enhances environmental education programs for children ages 6 to 10 years old in park and recreation agencies serving low-income, urban areas. If successfully obtained the three year grant will provide toolkits and guidance to create or enhance existing environmental programs.

Financial Analysis: There are no matching funds required for this grant.

Recommendation: Approval

Attachments: None

Contact Persons:

Name:	Jim Parrish/Jim McCarty	Rebecca Hall
Title:	Co-Directors	Grants Manager
Department:	Parks & Recreation	City Manager
Phone:	502-875-8575	502/875-8500
Email:	jparrish@frankfort.ky.gov	Rhall@Frankfort.ky.gov
	jmccarty@frankfort.ky.gov	

- 7.8** To authorize the Mayor to sign an agreement between Benefit Marketing Solutions LLC and the City of Frankfort (Human Resources).

Purpose: To authorize the Mayor to sign an agreement with Benefit Marketing Solutions LLC to provide third party administration relating to COBRA compliance for the city's health, vision, dental, and FSA/HRA benefit programs.

Background: The City is required by the Consolidated Omnibus Budget Reconciliation Act (COBRA) to provide specific notifications to employees enrolled in benefit programs when they terminate their employment. Discussions with our insurance brokers and HealthSmart (Health Plan TPA) indicated that consolidating these responsibilities with one vendor rather than having the responsibility assigned to multiple parties would be more cost effective, more efficient, and lead to better compliance with federal requirements. Consolidating the responsibility with Benefit Marketing Solutions is resulting in approximately \$3,100 in annual savings.

Recommendation: Approval

Financial Impact: Approximately \$3,000 per year depending upon employee census.

Attachment:

- Administrative Services Agreement (to be provided)

Contact Person

Name:	Randy Donahue
Title:	HR Director
Department:	City Manager/Human Resources
Phone:	502/875-8500
Email:	rdonahue@frankfort.ky.gov

- 7.9** To authorize the purchase of five (5) 12-lead cardiac monitor/defibrillators, and authorize the Mayor to sign all related documents (Fire Department).

Purpose: To authorize the purchase of five (5) 12-lead cardiac monitor/defibrillators.

Background: Frankfort Fire & EMS has been awarded two separate grants for the specific purchase of cardiac monitor/defibrillators. Kentucky Office of Homeland Security (KOHS) has awarded a grant of \$30,000 for the purchase of one monitor with no City required matching funds. FEMA/DHS has awarded a grant of \$119,760 for the purchase of four monitors with a 10% match required by the City. The FEMA/DHS grant funds total \$107,784.

Bids for the monitors were advertised and opened on January 11, 2013 with Physio-Control, Inc. being the only bidder. One bid was placed for the KOHS grant purchase in the amount of \$30,013.75 and one was received for the FEMA/DHS grant purchase in the amount of \$123,595.20.

Financial Analysis: Total cost to purchase five monitor/defibrillators is \$153,608.95. Total reimbursement from the two grants will be \$137,784. The difference of \$15,824.95 will be paid by encumbered funds previously designated for this purpose.

Recommendation: Approval

Attachments:

- Bid Tabulations

Contact Person

Name: Wallace Possich
Title: Fire Chief
Department: Fire
Phone: 502/875-8511
Email: wpossich@frankfort.ky.gov

7.10 PERSONNEL

Personnel Action	Employee	Department	Date	Other
Promotion	Doug Young	Planning and Building Codes	01-29-13	From License Enforcement Officer II to Code Enforcement Inspector I
Promotion	Jeremy Warren	Finance	01-29-13	From Public Works Tech II to License Enforcement Officer I
Promotion	Greg Rogers	Public Works	01-01-13	From Transit Foreman to Transit Superintendent
Promotion	Eugene Carr	Public Works	01-29-13	From Public Works Tech IV to Transit Foreman
Retirement	Paul Clark	Public Works/ Transit	01-31-13	Transit Driver (Authorize Payment for accrued leave)
Retirement	Michael W Johnson	Police	01-31-13	Patrol Officer III (Authorize payment for accrued leave; authorize purchase of two assigned handguns per FCO 40.03)
Appointment	Benjamin C Sullivan	Police/E911	02-12-13	Telecommunicator I
Appointment	Amanda D Roberts	Police/E911	02-12-13	Telecommunicator I
Appointment	Wesley A Willis	Police/E911	02-12-13	Telecommunicator I
Appointment	Tyler F Owens	Police/E911	02-12-13	Telecommunicator I

Attachments:

- Paul Clark retirement letter
- Michael W. Johnson retirement letter
- Memo regarding Michael Johnson's purchase of duty weapons

Contact Person

Name: Randy Donahue
Title: Human Resources Director
Department: Human Resources/City Manager
Phone: 502/875-8500
Email: rdonadue@frankfort.ky.gov

8. **BOARD APPOINTMENTS**
9. **OLD BUSINESS**
10. **NEW BUSINESS**
11. **CLOSED SESSION PER KRS 61.810 (1)(f) - Personnel**
12. **ADJOURNMENT**